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PHILLIP A. TALBERT United States Attorney ANTONIO J. PATAČA Assistant United States Attorney 2500 Tulare Street, Suite 4401 Fresno, CA 93721 CLERK U.S. DISTRICT COURT Telephone: (559) 559-4000 4 EASTERN DISTRICT OF CALIFORNIA Facsimile: (559) 559-4099 5 Attorneys for the 6 United States of America 7 8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 UNITED STATES OF AMERICA, 12 CASE NO. 1:22-MJ-00026-BAM 13 Plaintiff, UNITED STATES' MOTION AND 14 ٧. ORDER FOR DISMISSAL Joshua Christopher Astorga, 15 16 Defendant. 17 The United States now moves to dismiss the complaint in the above captioned case filed 18 on February 10, 2022, without prejudice in the interest of justice and pursuant to Rule 48(a) of 19 the Federal Rules of Criminal Procedure. The United States will seek to indict this matter in 20 21 short order. 22 Dated: February 25, 2022 23 PHILLIP A. TALBERT United States Attorney 24 /s/ Antonio J. Pataca 25 By: ANTONIO J. PATACA 26 Assistant U.S. Attorney 27 28

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[PROPOSED] Order

The Court hereby orders that the indictment in case number 1:22-MJ-00026-BAM, filed on February 10, 2022, be DISMISSED WITHOUT PREJUDICE

DATED: February <u>25</u>, 2022

ERICA P. GROSJEAN

United States Magistrate Judge